

INDIANA DEPARTMENT OF CHILD SERVICES ADMINISTRATIVE POLICIES AND PROCEDURES		
Policy Number: EA-2	Effective Date: July 1, 2005	Version: 1.0
POLICY TITLE: COMMUNICATION WITH LEGISLATORS		
OVERVIEW: Legislative inquiries regarding DCS policy, current law/code, proposed legislation, statistics and organizational information will be handled by the DCS Legislative Director. Inquiries regarding constituent concerns with services or other questions relating to programming may be answered by the program or local director. All laws, policies and procedures relating to confidentiality must be followed.		

I. DEFINITIONS

- a. Legislator: Any member of the Indiana General Assembly, the United States House of Representatives or the United States Senate.
- b. Legislative Inquiry: A request for information made to DCS by a Legislator or a staff member speaking on behalf of a Legislator.

II. REFERENCES

- a. [DCS Correspondence Policy](#)
- b. [IC 12-17.6-9](#)

III. POLICY

- a. All legislative inquiries are to be responded to in a professional and courteous manner. Any employee who acts in an inappropriate manner while responding to a legislative inquiry is subject to disciplinary action.
- b. All legislative inquiries concerning DCS policy, Indiana Code, Federal law and/or legislation are to be directed to the Legislative Director.
- c. Program-specific legislative inquiries, including constituent concerns with services and questions relating to programming, may be answered by the program or local director.
- d. The Legislative Director will remain in regular contact with Legislators in order to share general organizational information, program overviews, and DCS statistics.
- e. Due to the confidentiality of case files, see [IC 12-17.6-9](#), the legislative office must produce a release of information signed by the person(s) that is/are the subject of the information to be shared by DCS. If the subject is a minor, the release must be signed by a parent or guardian.

IV. PROCEDURE

- a. The Legislative Director is to be notified of and/or copied on all responses to legislative inquiries within five (5) business days.
- b. If the program or local director is unable to respond to a legislative inquiry, the issue shall be forwarded to the appropriate regional manager or deputy director within one (1) business day.
- c. Telephone responses to legislative inquiries are to be made within one (1) business day.

- d. Written responses to legislative inquiries are to be sent within five (5) business days, utilizing the format outlined in the DCS Correspondence Policy.

DATE: 06/08/05

James W. Payne, Director
Department of Child Services

A signed copy is on file.

IC 12-17.6-9

Chapter 9. Confidentiality and Release of Information

IC 12-17.6-9-1

Applicability of chapter

Sec. 1. This chapter does not apply until January 1, 2000.

As added by P.L.273-1999, SEC.177.

IC 12-17.6-9-2

Confidentiality of information in general

Sec. 2. The following concerning a program applicant or recipient under the program are confidential, except as otherwise provided in this chapter:

- (1) An application.
- (2) An investigation report.
- (3) An information.
- (4) A record.

As added by P.L.273-1999, SEC.177.

IC 12-17.6-9-3

Disclosure of information authorized

Sec. 3. The use and the disclosure of the information described in this chapter to persons authorized by law in connection with the official duties relating to:

- (1) financial audits;
- (2) legislative investigations; or
- (3) other purposes directly connected with the administration of the program;

is authorized.

As added by P.L.273-1999, SEC.177.

IC 12-17.6-9-4

Disclosure of information of general nature

Sec. 4. (a) The release and use of information of a general nature shall be provided as needed for adequate interpretation or development of the program.

(b) The information described in subsection (a) includes the following:

- (1) Total program expenditures.
- (2) The number of recipients.
- (3) Statistical and social data used in connection with studies.
- (4) Reports or surveys on health and welfare problems.

As added by P.L.273-1999, SEC.177.

IC 12-17.6-9-5

Information available to providers

Sec. 5. The office shall make available the following to providers for immediate access to information indicating whether an individual is eligible for the program:

- (1) A twenty-four (24) hour telephone system.

(2) A computerized data retrieval system.
As added by P.L.273-1999, SEC.177.

IC 12-17.6-9-6

Limits on information available to providers

Sec. 6. Information released under section 5 of this chapter is limited to the following:

- (1) Disclosure of whether an individual is eligible for the program.
- (2) The date the individual became eligible for the program and the individual's program number.
- (3) Restrictions, if any, on the scope of services to be reimbursed under the program for the individual.

As added by P.L.273-1999, SEC.177.

IC 12-17.6-9-7

Confidentiality of information obtained by providers

Sec. 7. Information obtained by a provider under this chapter concerning an individual's eligibility for the program is confidential and may not be disclosed to any person.

As added by P.L.273-1999, SEC.177.

IC 12-17.6-9-8

Limitation of provisions to ensure eligibility for federal financial participation

Sec. 8. If it is established that a provision of this chapter causes the program to be ineligible for federal financial participation, the provision is limited or restricted to the extent that is essential to make the program eligible for federal financial participation.

As added by P.L.273-1999, SEC.177.